

**RESOLUTION NO. 10-102**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE MAYOR AND THE CITY CLERK, ON BEHALF OF THE CITY, TO ENTER INTO A 30-DAY EXTENSION AGREEMENT OF THE EXISTING BUS LEASE AGREEMENT WITH FIRST TRANSIT, INC. THROUGH OCTOBER 31, 2010, A COPY OF WHICH IN SUBSTANTIAL FORM IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1".

**WHEREAS**, on December 16, 2006, the City of Hialeah entered into a Bus Lease Agreement with First Transit, Inc.; and

**WHEREAS**, in 2009, the City of Hialeah renewed the Professional Services Agreement with First Transit, Inc. providing services in connection with the Hialeah Transit System, ending on September 30, 2010; and

**WHEREAS**, the Bus Lease Agreement ends on September 30, 2010 coinciding with the expiration of the Professional Services Agreement; and

**WHEREAS**, the City has not completed its selection and procurement (request for proposal) process in connection with a new professional services agreement for services provided in connection with the operation of the Hialeah Transit System; and

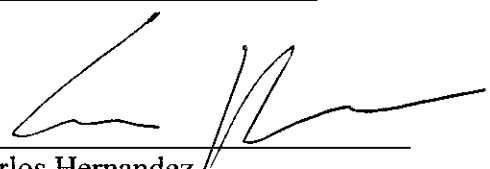
**WHEREAS**, in order to complete the process in an orderly fashion, at the request of the City, First Transit, Inc. has agreed to extend the terms and conditions of the existing professional services agreement for one month, with the ending date on October 31, 2010.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

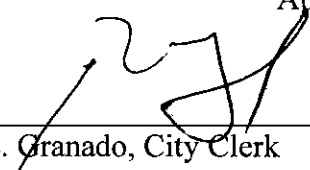
**Section 2:** The City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a 30-Day Extension Agreement of the existing Bus Lease Agreement with First Transit, Inc. through October 31, 2010, a copy of which is attached hereto and made a part hereof as Exhibit "1".

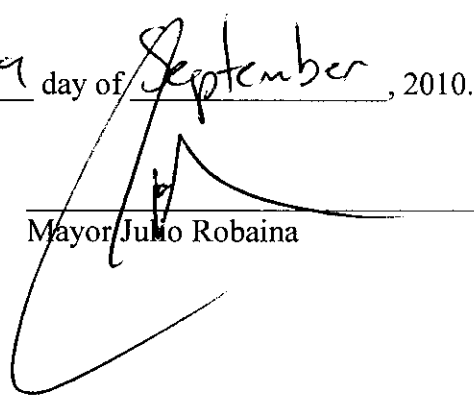
PASSED AND ADOPTED this 28th day of September, 2010.

  
\_\_\_\_\_  
Carlos Hernandez  
Council President

Attest:

Approved on this 29 day of September, 2010.

  
\_\_\_\_\_  
Rafael E. Granado, City Clerk

  
\_\_\_\_\_  
Mayor Julio Robaina

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
William M. Grodnick, City Attorney

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Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes."

**THIRTY-DAY EXTENSION OF BUS LEASE AGREEMENT BETWEEN THE  
CITY OF HIALEAH AND FIRST TRANSIT, INC. DATED DECEMBER 13, 2006  
AND AS MODIFIED AND EXTENDED**

**WHEREAS**, on December 13, 2006, the City of Hialeah, Inc. and First Transit, Inc. entered into a Bus Lease Agreement wherein the City of Hialeah leased buses for the operation of the Hialeah Transit System, whose term coincided with the Professional Services Agreement between the City and First Transit, Inc., which ends on September 30, 2010; and

**WHEREAS**, the City of Hialeah, Florida has not completed its selection and procurement (request for proposal) process in connection with a new professional services agreement for services provided in connection with the operation of the Hialeah Transit System, of which First Transit is one of the proposers; and

**WHEREAS**, in order to complete the process in an orderly fashion, at the request of the City, First Transit, Inc. has agreed to extend the terms and conditions of the current Bus Lease Agreement for one month, with the ending date on October 31, 2010.

**NOW, THEREFORE**, in consideration of the mutual promises, covenants, and agreements herein contained and other valuable consideration, the receipt of which is hereby acknowledged, the parties agree to the following terms and conditions:

1. The foregoing facts and recitations contained in the preamble to this agreement are hereby incorporate by reference as if fully set forth herein.

2. The parties herein extend the existing Bus Lease Agreement ("Agreement") that expires on September 30, 2010 for a term of thirty (30) days through October 31, 2010.

All other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, City of Hialeah, Florida and First Transit, Inc. has caused this Agreement to be executed by their duly authorized representatives.

City of Hialeah, Florida  
501 Palm Avenue  
Hialeah, FL 33010-0040

Attest:

Authorized signature on behalf of  
City of Hialeah

\_\_\_\_\_  
Rafael E. Granado                      Date  
City Clerk

\_\_\_\_\_  
Mayor Julio Robaina                      Date

(SEAL)

Approved as to legal sufficiency and form:

\_\_\_\_\_  
William M. Grodnick  
City Attorney

First Transit, Inc.  
600 Vine Street  
Suite 1400  
Cincinnati, Ohio 45202

Attest:

Authorized signature of the firm

\_\_\_\_\_  
Corporate Secretary

\_\_\_\_\_  
Matthew S. Wood                      Date  
Senior Vice President

(SEAL)